

DMW

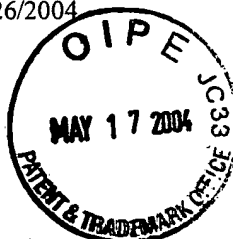


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,921	01/26/2004	David B. Volkin	19907YIACB

000210
 MERCK AND CO INC
 P O BOX 2000
 RAHWAY, NJ 070650907



CONFIRMATION NO. 9882

FORMALITIES LETTER



OC000000012192994

Date Mailed: 03/26/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. M. [Signature] Date 5/13/04
 MERCK & CO., INC.
 REC. NO. 34,595

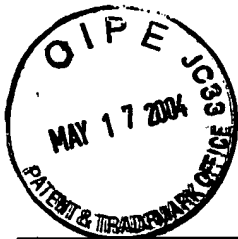
A copy of this notice **MUST** be returned with the reply.

BT

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Volkin et al.

Art Unit:

Serial No.: 10/764,921 To be assigned – Case 19907YIACB

Examiner:

Filed: 26 January 2004

Conformation No. 9882

For: POLYNUCLEOTIDE VACCINE FORMULATIONS

Formalities Letter

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the *Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures* (herein, "Notice to Comply"), mailed 26 March 2004, Applicants submit herewith a substitute computer readable form and paper copy of the Sequence Listing. This current form of the Sequence Listing differs from the previously filed version as follows:

1. "Current Application Number" and "Current Filing Date" have been updated; and,
2. SEQ ID NOs: 13 and 14 are amended to correct an initial editorial oversight, as noted in the Notice to Comply.

I hereby state that the contents of the paper and computer readable copy of the enclosed Sequence Listing, submitted in accordance with 37 CFR 1.182(c) and (e), respectively, are the same.

Respectfully submitted,

Date MAY 13, 2004

By J. Mark Hand
J. Mark Hand

Reg. No. 36,545

Attorney for Applicant

MERCK & CO., INC.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(732) 594-3905

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. Mark Hand Date 5/13/04
Rec. No. 36,545